

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

CHAD MARTIN HELDT,
CHRISTI W. JONES,
SONJA CURTIS,
and CHERYL A. MARTIN,
Individually and on behalf of all similarly
situated individuals

Plaintiffs,

VS.

PAYDAY FINANCIAL, LLC, d/b/a Lakota Cash and Big Sky Cash; WESTERN SKY FINANCIAL, LLC, d/b/a Western Sky Funding and Western Sky and Westernsky.com; MARTIN A. WEBB, a/k/a "Butch," and CASHCALL, INC.,

Defendants.

CIV 13-3023 -RAL

ORDER DENYING
FIRST MOTION TO DISMISS
AS MOOT

This Court has turned its attention at long last to this case and feels it appropriate to apologize to the parties and counsel for the delay. The oldest pending motion is Defendants' Motion to Dismiss, Doc. 22. After Defendants filed that motion, Plaintiffs filed an Amended Complaint, Doc. 30, prompting Defendants then to file Defendants' Motion to Dismiss Amended Complaint, Doc. 34. The first filed motion to dismiss thereby is rendered moot and may be denied as such. For good cause, it is hereby

ORDERED that Defendants' Motion to Dismiss, Doc. 22, is denied as moot in light of the filing of the Amended Complaint and the subsequent Defendants' Motion to Dismiss Amended Complaint.

Dated February 25, 2014.

BY THE COURT:

/s/ Roberto A. Lange

ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE